

Senate File 300 - Introduced

SENATE FILE 300

BY DAWSON

A BILL FOR

1 An Act relating to the definition of dependent adult abuse, and
2 providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 235B.2, subsection 5, paragraph a,
2 subparagraph (1), Code 2021, is amended by adding the following
3 new subparagraph division:

4 NEW SUBPARAGRAPH DIVISION. (e) The death of a dependent
5 adult.

6 Sec. 2. Section 235B.20, Code 2021, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 1A. A caretaker who intentionally or
9 recklessly commits dependent adult abuse on a dependent adult
10 in violation of this chapter is guilty of a class "B" felony if
11 the intentional or reckless dependent adult abuse results in
12 death.

13 Sec. 3. Section 235E.1, subsection 5, paragraph a,
14 subparagraph (1), Code 2021, is amended by adding the following
15 new subparagraph division:

16 NEW SUBPARAGRAPH DIVISION. (e) The death of a dependent
17 adult.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill relates to the definition of dependent adult abuse
22 and provides penalties.

23 The bill adds the death of a dependent adult that occurs due
24 to certain acts or omissions by a caretaker to the definition
25 of dependent adult abuse for purposes of the dependent adult
26 abuse registry under Code chapters 235B (dependent adult abuse
27 in the community) and 235E (dependent adult abuse in facilities
28 and programs).

29 A "caretaker" for purposes of Code chapter 235B means a
30 related or nonrelated person who has the responsibility for
31 the protection, care, or custody of a dependent adult as a
32 result of assuring the responsibility voluntarily, by contract,
33 through employment, or by order of the court. A "caretaker"
34 for purposes of Code chapter 235E means a person who is a staff
35 member of a facility or program who provides care, protection,

1 or services to a dependent adult voluntarily, by contract,
2 through employment, or by order of the court.

3 The bill provides that a caretaker who intentionally
4 or recklessly commits dependent adult abuse on a dependent
5 adult under Code chapter 235B commits a class "B" felony. By
6 operation of law, this provision also applies to a caretaker
7 who intentionally or recklessly commits dependent adult abuse
8 on a dependent adult in violation of Code chapter 235E pursuant
9 to Code section 235E.4. A class "B" felony is punishable by
10 confinement for no more than 25 years.